

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

GUADALUPE MARTINEZ,

Defendant.

4:12CR3019

DETENTION ORDER

DETENTION ORDER PENDING TRIAL

After affording the defendant an opportunity for a detention hearing under the Bail Reform Act, 18 U.S.C. § 3142(f), the court concludes the defendant must be detained pending trial.

Based on the information of record,, the court finds by clear and convincing evidence that defendant's release would pose a serious risk of harm to the community, and no condition or combination of conditions of release will sufficiently ameliorate that risk.

Specifically, the defendant, while on release, violated the rules of Bristol Station and used alcohol in violation of the terms of his pretrial release. He cannot be trusted to comply with conditions of pretrial release or the orders of the court, and without such assurances, poses a risk of harm to the public and a risk of nonappearance if released.

Directions Regarding Detention

The defendant is committed to the custody of the Attorney General or a designated representative for confinement in a corrections facility separate, to the extent practicable, from persons awaiting or serving sentences or held in custody pending appeal. The defendant must be afforded a reasonable opportunity to consult privately with defense counsel. On order of United States Court or on request of an attorney for the Government, the person in charge of the corrections facility must deliver the defendant to the United States marshal for a court appearance.

September 20, 2012.

BY THE COURT:

s/ Cheryl R. Zwart
United States Magistrate Judge